

Attachment 3.16b
Notice of Impacts to Existing Assets

NOTICE OF IMPACTS TO EXISTING TMS/ITS ASSETS

1. **First Notification:** 21 Days Prior to Work Start - The Design-Builder shall submit a complete Notification of Impact to Existing TMS/ITS Asset form (using provided template) to the Concessionaire. The form shall be provided a minimum of twenty-one (21) calendar days prior to the proposed start of the Work impacting the Asset.
2. **Notification Review:** 18 Days Prior to Work Start - The Concessionaire (and Department for Department TMS/ITS Assets) will review the form for conformance with the plans and the Agreement. Within 3 days of receipt of First Notification, the Concessionaire will respond to the submitted form with one of three responses:
 - a) **Approved** – *The form is found to be in conformance with all documented requirements and is approved as submitted. The process moves to the Inspection phase.*
 - b) **Revise and Resubmit** – *The form is conditionally approved with minor corrections or clarifications required as noted in the Concessionaire’s response. The process moves to the Inspection phase and the Design-Builder revises the form as needed for resubmittal prior to the second notification*
 - c) **Rejected** – *The form has significant elements that are not in conformance with the plans or the Agreement. The Concessionaire notes the specific elements of the form not in conformance and cites the controlling Agreement requirements not met. The Design-Builder shall submit the form again beginning at the first notification.*
3. **Inspection:** 14 Days Prior to Work Start - Following approval or conditional approval of the notification form, the Department and the Design-Builder shall conduct a joint field meeting at the Asset to be impacted. The Concessionaire and Department shall provide the Design-Builder access to the equipment and Assets to be impacted for general inspection and demonstrate the operational status of the equipment. If the proposed impact is not limited to a single site (e.g., impact to power or communications connecting multiple devices), the Concessionaire and Department shall also demonstrate operation at a remote location to establish the existing condition of all elements to be impacted by the Work. The Design-Builder shall document the condition of the site through field notes and photos as needed. The Design-Builder shall provide written notification to the Concessionaire of any site deficiencies within twenty-four (24) hours of the inspection. The Concessionaire shall assess deficiencies and provide a response to the Design-Builder within forty-eight (48) hours of receipt of the Design-Builder’s report. The response shall include one of the following:
 - a) **Concessionaire/Department Repair/Replace** – The Concessionaire or Department will repair or replace deficient equipment prior to the start of the Work. A second inspection shall be scheduled to document the existing condition of the Assets prior to the start of the Work.

Execution Version

- b) ***Proceed per Plan*** – The Concessionaire shall instruct the Design-Builder to carry out the Work as shown in the plans and proposed on the notification form accepting the condition of the Assets as is. The Design-Builder shall complete the Work as required by the Agreement and return the system to its existing condition at the time of the inspection, accounting for the deficiencies of the system noted in their report. For example, the Concessionaire may instruct the Design-Builder to relocate a camera as called for in the plans even if the camera is inoperative at the time of inspection. The Design-Builder will relocate the camera noting that it was inoperative prior to start and maintaining its current condition.
- c) ***Request for Change*** – The Concessionaire shall request a change to the plans to address the deficient conditions. This may include requesting the Design-Builder to carry out repair or replacement or removal and disposal/salvage of the impacted Assets. This process shall follow the typical process for changes to the Agreement, accounting for any impacts to schedule and scope.
4. **Second Notification: 10 Days Prior to Work Start** - The Design-Builder shall provide a second notification to the Concessionaire for the start of the Work. If the notification form was required to be revised and resubmitted as part of a conditional approval, the Design-Builder shall provide the revised form with this notification. The Design-Builder may propose changes to the original request as part of the second notification. This may include minor changes to the schedule of the Work or revisions to the construction work plan. If no updates to the first notification are required, the Design-Builder shall provide only a written reaffirmation of the original notification. The Concessionaire shall approve or reject the updated form within forty-eight (48) hours of its receipt of the Design-Builder’s Second Notification. The response shall include one of the following:
- a) ***Approved*** – *The form is found to be in conformance with all documented requirements and is approved as submitted. The process moves to the Confirming Notification phase.*
- b) ***Revise and Resubmit*** – *The form has elements that require minor corrections or clarifications required as noted in the Concessionaire’s response. The Design-Builder shall resubmit the form again beginning at the Second Notification.*
5. **Confirming Notification: 24 Hours Prior to Work Start** - The Design-Builder shall provide written confirmation of the planned Work a minimum of twenty-four (24) hours prior to the scheduled start of the Work. Minor deviations of the written notification form shall be allowed (e.g., minor changes in the specific start time; updated contact information, etc.).
6. **Final Notification: 15 Minutes Prior to Work Start** - The Design-Builder shall provide final notification fifteen (15) minutes prior to the start of the Work, if required by the Concessionaire as noted on the approved notification form. This notification shall be made for Assets identified by the Concessionaire as being of significant operational value. An Asset of “significant operational value” is one which must remain in operation until an unscheduled incident or condition is resolved. The Concessionaire shall identify these Assets on the notification form. The Design-Builder shall provide this final notification to either Concessionaire or Department staff as identified by the Concessionaire in the notification process.

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7. Work: Start of Work - The Design-Builder shall carry out the Work in accordance with the Agreement and approved notification form. The Design-Builder should provide daily updates to the Concessionaire on the progress of the Work or as required on the notification form. The Design-Builder shall notify the Concessionaire of any events or issues that arise during the course of the Work that may impact the scheduled completion of the Work. The Design-Builder shall provide a plan for recovery of schedule as needed.
8. Notification of Completion: Completion of Work - The Design-Builder shall notify the Concessionaire immediately upon completing the Work. The Concessionaire shall verify the operation of the Asset as needed to ensure the basic scope of the Work is completed. The Concessionaire shall notify the Design-Builder immediately of any impact to normal operation of the Asset following completion of the Work.
9. Return of Maintenance: 48 Hours After Completion of Work - The Design-Builder and the Concessionaire (and Department for Department TMS/ITS Assets) shall conduct a return of maintenance inspection within forty-eight (48) hours of completion of the Work. The Concessionaire and Department shall inspect the Work on site and provide a written punch list or acceptance as appropriate. Maintenance of the Asset shall transfer back to the Concessionaire or Department upon completion of any punch list items and issuance of the written acceptance. Written acceptance shall be provided no less than forty-eight (48) hours following the final inspection.

Appendix A - Notification of Impact to Existing TMS/ITS Asset Form

495 Express Lanes Northern Extension Project

**EXISTING TRAFFIC MANAGEMENT SYSTEM ASSETS
NOTIFICATION OF IMPACT**

NOI # _____

Date Submitted (First Notification): _____ **(Second Notification):** _____

Approval Status (First Notification):

Approved Revise and Resubmit (Comments attached) Rejected (Comments attached)

Signature and date: _____

Approval Status (Second Notification):

Approved Revise and Resubmit (Comments attached)

Signature and date: _____

Asset Information:

Type: _____

Milepost: _____ Station and Offset: _____

Asset ID: _____ Plan Package ID: _____

Description: _____

Type / Description of Work:

Schedule:

Start Day / Time: _____ End Day/Time: _____

Interim Milestones: _____

Request for Waiver:

Impact Mitigation:

Design-Builder Contact Information:

Name: _____ E-mail: _____

Mobile Phone: _____

Asset Owner Contact Information:

Name: _____ E-mail: _____

Mobile Phone: _____

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**EXISTING TRAFFIC MANAGEMENT SYSTEM ASSETS
NOTIFICATION OF IMPACT**

NOI # _____

Actions Required by Asset Owner:

To be completed by Design-Builder

Information to Design-Builder:

To be completed by Asset Owner

Documents Attached:

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Existing Traffic Management System Assets

Notification of Impact Form Instructions

Field	Responsibility for data entry and instructions
NOI #	Design-Builder. Enter the appropriate Notification of Impact number. The Design-Builder shall assign each NOI a unique number to be used for tracking purposes and use in other correspondence.
Date Submitted	Design-Builder. For each of the First Notification and the Second Notification, enter the date the form is submitted to the Concessionaire. The form shall be submitted electronically. Forms sent after 3:00 p.m. shall indicate the next business day as the date submitted.
Approval Status	<p>Asset Owner. Following initial review indicate status and provide notes and comments as appropriate. Comments shall include specific items of the Form that are non-conforming with references to the appropriate plan or contract documents that control the work. Upon Approval, the Form will be signed by the Asset Owner in the Approval Status field.</p> <p>Revised and Resubmitted Forms will include the original comments. Upon final approval, Revised and Resubmit shall be changed to Approved and signed as noted above.</p> <p>Rejected Forms will be closed and upon resubmittal, a new submittal date will be entered.</p>
Asset Information/Type	Design-Builder. Enter the type of asset being impacted. E.g. Camera, gate, gate DMS, Advisory DMS, fiber, etc.
Asset Information/Location (General)	Design-Builder. Enter a description. E.g. Outside northbound GP lanes, just north of Old Dominion Intersection.
Asset Information/Location (Sta/Off)	Design-Builder. Enter the station and offset of the asset (or station range) from the plans.
Asset Information/Location (Asset ID)	Design-Builder. Enter the cabinet ID and/or device ID of the asset. (E.g. Cabinet B151, VMS 0990, etc.).
Type of Work	Design-Builder. Indicate the type of work to be completed. E.g. relocation/reconnection of power, relocation/reconnection of communications, relocation of device, HOV Loop impact, etc.
Description of Work	Design-Builder. Provide brief description on the work to be performed including any pertinent means and methods. If the work is sufficiently detailed on the plans, Standards, and special provisions, indicate "Per Plan".

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Existing Traffic Management System Assets

Notification of Impact Form Instructions

Field	Responsibility for data entry and instructions
Reference Documents	Design-Builder. Enter Plan Package (e.g. Segment 2 TMS Plans), sheet number, and special provision controlling the work. Provide other references or attach mark-ups that detail the work as needed.
Mitigation of Operational Impacts	Design-Builder. Enter a description of the work to be done to mitigate impact to operational performance as required by the Turnover Plan (e.g. Temporary CCTV camera to be provided, temporary detection to be provided, manual operation of gates, etc.). Provide as much detail as possible in order to coordinate and integrate temporary operations with the Asset Owner's normal operations (device configuration parameters, etc.). Indicate pending information for ongoing coordination as appropriate.
Schedule of Work	Design-Builder. Enter proposed date and time for start of work/impact. Enter duration of time for the work to be substantially complete and normal operation returned.
Request for Waiver	Design-Builder. Enter any deviations from the requirements of the Turnover Plan and provide justification for the request. (e.g. request for longer duration outage, request for waiver to temporary detection/camera requirement, etc.)
Design-Builder Contact Information	Design-Builder. Enter phone and e-mail contact information. Enter primary contact information for person responsible for planning and directing the work. Enter secondary contact information as needed. Enter Field Contact information for the person that will be on-site at the time of the work with the authority to direct the work in the field as it is being done. Mobile number must be provided for Field Contact.
Asset Owner Contact Information	Asset Owner. Enter phone and e-mail contact information. Enter primary contact information for person responsible for coordinating the work and authority to approve work. Enter Secondary Contact information as needed. Enter Field Contact information for the person that will be on-site at the time of the work or at a remote location with the authority to provide final approval to commence work if required.
Actions Required by Asset Owner	Design-Builder. Enter any actions required by Asset Owner or additional information needed from Asset Owner in order to plan or complete the work.
Information/Instructions to Design-Builder	Asset Owner. Provide the Design-Builder any additional information or instructions to plan and coordinate the work.